

 KENTUCKY CORRECTIONS Policies and Procedures	Policy Number	Total Pages
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Authority/References KRS 196.030, 196.035, 197.020, 439.265, 439.3101, 439.3104, 439.3105, 439.348, 439.480(3), 446.010, 533.030 CPP 29.2 P&P ACA 2A-01, 2A-02, 2A-03, 2A-06, 2A-07, 2A-08, 2A-11	Subject RISK AND NEEDS ASSESSMENT	

I. DEFINITIONS

“Abbreviated assessment” means a review of the most recent comprehensive risk and needs assessment to determine if any criminogenic needs have been impacted that would result in a change in the specific criminogenic need level or overall risk level.

“Assessment and Classification Center” means the central point of reception and processing of convicted felons entering the custody of Corrections.

“Assessor” means an individual who performs a risk and needs assessment on an inmate or offender committed to or supervised by the department.

“Case manager” means the assigned classification staff member or probation and parole officer who is responsible for leading the case management team.

“Case plan” is defined in KRS 446.010.

“Criminal risk factors” is defined in KRS 446.010.

“Department” is defined in KRS 439.250.

“Permanent institution” means any correctional facility, local jail, or halfway house not designated as an Assessment and Classification Center.

“Reassessment” means a subsequent risk and needs assessment conducted after the initial assessment.

“Responsivity” means an individual’s characteristics that may impact his or her approach to treatment, including culture, gender, motivational stages, developmental stages, and learning styles.

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“Risk” means the potential for future criminal behavior.

“Risk and needs assessment” is defined in KRS 446.010.

“Risk and needs assessment override” means a change in the offender’s risk and needs score level due to evidence gathered by the assessor that is different from the assessed score.

II. POLICY and PROCEDURES

This policy establishes procedures to ensure that a risk and needs assessment is conducted on all offenders upon commitment to the Department of Corrections. This policy and procedure shall apply to all institutions, local facilities that handle risk and needs assessments, contract facilities, and the Division of Probation and Parole.

A. The risk and needs assessment shall be completed as soon as practicable after commitment for an offender. It shall include an individual interview with the offender to identify program needs and risk of re-offense, unless an exception is stated in this policy or it is not feasible given the circumstances. The case manager and the offender shall develop the case plan using criminal risk factors identified from the risk and needs assessment with the goal of providing services to address the offender’s criminogenic needs.

1. An offender shall be assessed in these key areas:

- a. Legal problems and criminal behavior
- b. Antisocial personality pattern
- c. Antisocial attitudes
- d. Antisocial associates
- e. Family and marital
- f. Education and employment
- g. Substance abuse
- h. Leisure and recreation
- i. Responsivity

2. An offender convicted on or after July 1, 2013 shall receive a risk and needs assessment in conjunction with the offender’s pre-sentence

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investigation, except for pre-trial diversion or misdemeanor intensive probation cases.

B. The following general procedures shall be followed when completing an assessment:

1. The risk and needs assessment for institutional and community offenders shall encompass an individual interview with the offender and shall be used to:
 - a. identify risk of reoffense and recommend programming needs, and
 - b. assist in development of a case management plan with the goal of providing services to reduce the probability of continued criminal behavior
2. The case manager shall document the results of each assessment in the offender management system.
3. Assessment results shall be verbally communicated to institutional and community offenders. Offenders shall not receive a copy of the risk and needs assessment, but shall receive a copy of their case management plan.
4. If a probation and parole offender is unwilling to participate or comply with recommendations resulting from the risk and needs assessment, then the officer shall notify the releasing authority through a violation report.
5. Risk and needs assessments shall not have an appeal process and shall be non-grievable.
6. If staffing permits, a risk and needs assessment may be completed for offenders in jails and halfway houses. The risk and needs assessment shall encompass an individual interview, results communicated, and a copy of the case management plan provided.

C. Assessments for an offender admitted to an institution:

1. An offender shall receive an initial assessment, an abbreviated assessment, or a reassessment.
 - a. An initial assessment shall be completed if no previous assessment has been completed.
 - b. An abbreviated assessment shall be completed if:

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- (1) an initial assessment has been completed, and
 - (2) the offender has not been discharged and returned for technical violations or a new sentence.
 - c. A full reassessment shall be completed if:
 - (1) an initial assessment has been completed, and
 - (2) (a) the abbreviated assessment indicates a need for a full reassessment, or
 - (b) the offender has been discharged and returned for technical violations or new sentence.
- 2. Staff at all facilities shall conduct a risk and needs assessment on offenders within ninety (90) days of possible release by parole, mandatory reentry supervision, post incarceration supervision, Home Incarceration Program (HIP), or serve out if an assessment has not been completed within the previous twelve (12) months.
- 3. Permanent institution staff shall conduct a risk and needs assessment:
 - a. During annual classification in accordance with the classification yearly review unless an assessment has been completed within the previous twelve (12) calendar months.
 - b. If the date of annual classification review has passed when the offender is admitted to the institution, and an assessment has not been completed within the previous twelve (12) months, the offender shall receive an assessment within ninety (90) days of admission to the facility.
 - c. If a risk and needs assessment has been completed within the last twelve (12) months, staff may conduct an abbreviated assessment. The supervisor shall review the abbreviated assessment to determine if a comprehensive assessment is needed.
- D. If a county jail or halfway house is approved to use the risk and needs assessment or the Parole Board risk and needs assessment, an offender serving his sentence in the facility shall receive an assessment in the following circumstances:
 - 1. an offender is within ninety (90) days of possible release by parole, mandatory reentry supervision, or post incarceration supervision, and

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2. an assessment has not been completed within the previous twelve (12) months.

E. Additional Risk and Needs Assessments for an Offender

1. The following list shall be used in scheduling and conducting additional risk and needs assessments for an offender. Each offender shall be due to be assessed based on the last digit of his inmate number that corresponds with the following months:
 - a. January - 1
 - b. February - 2
 - c. March - 3
 - d. April - 4
 - e. May - 5
 - f. June - 6
 - g. July - none
 - h. August - 7
 - i. September - 8
 - j. October - 9
 - k. November - 0
 - l. December - none
2. If an offender receives a risk and needs assessment outside the schedule in E.1., the reason shall be documented in the offender management system. If the offender has a pending action that may affect the results of his assessment (i.e. program completion, GED, significant disciplinary action, marriage or divorce) the assessment may be postponed as long as the action is completed within ninety (90) days.

F. The Warden of an institution or Director of a participating jail or halfway house shall oversee the risk and needs assessment process in his facility.

G. Home Incarceration Program (HIP) reentry staff shall oversee the risk and needs assessment process in their assigned facilities.

H. Override of Assessment or Reassessment

1. The assessor may recommend an override if he determines that additional factors warrant a different risk level, including pending charges, severity of offense, or other significant factors. The Unit Administrator or designee shall review the override recommendation for an offender in an institution and submit to the Warden or designee for approval. The Reentry Branch Manager or designee may authorize an override for an offender in a

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halfway house, contract facility, or residential treatment program if the offender's offense warrants a higher risk level.

2. Final approval of an override of the initial assessment or reassessment requires the approval and signature of the Reentry Branch Manager or designee.

III. Additional Policy and Procedure for Probation and Parole

A. Initial Assessment

1. For offenders without a risk and needs assessment, a risk and needs assessment shall be completed on each felony probation and parole offender within fourteen (14) working days of placement on supervision.
2. The risk and needs assessment results shall be documented in the offender management system to include the following:
 - a. overall risk assessment score,
 - b. level of supervision, and
 - c. offender's specific areas of risk and need.
3. The assessment results shall be used to determine the level of supervision. For case management purposes, the recommended supervision risk assessment score in the offender management system shall reflect the risk and needs assessment level.
4. Assessment results shall be verbally communicated to the offender and shall be used to develop case plan objectives that address community safety and offender needs. To identify intervention needs, the officer shall consider the offender's criminal behavior and attitudes as well as other factors identified in the risk and needs assessment. Offenders shall not receive a copy of the risk and needs assessment results, but shall receive a copy of the case plan, as directed by CPP 29.2 (Case Planning).
5. Misdemeanor probation or pre-trial diversion cases shall not require a full risk and needs assessment, but shall require a validated risk screen completed in the offender management system. The risk screen shall be used to develop the offender's case plan. Officers may complete the full risk and needs assessment on cases currently assessed in the offender management system.
6. Program placement may require the full risk and needs assessment.

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7. Caseloads shall be determined by staffing resources prioritizing high risk offenders as identified by the risk and needs assessment.
8. An offender shall require a risk and needs assessment if returning to supervision after a temporary period of unavailability (long term hospitalization, treatment or incarceration).

B. Reassessment

1. For offenders having had a risk and needs assessment completed within six (6) months of being placed on community supervision, the first reassessment shall be completed during the first six (6) months of placement on supervision.
2. For offenders with a risk and needs assessment completed more than six (6) months prior to being placed on community supervision, the first reassessment shall be completed within fourteen (14) working days of placement on supervision.
3. Subsequent reassessments shall be completed annually.
4. An additional reassessment and subsequent amendment of the case plan may be completed if the officer determines that:
 - a. The offender's situation has changed substantially; or
 - b. A qualifying event occurs, including a change in program participation or status, pending violation or charges, or other significant events.
5. Adjustments to the case plan shall be considered based on reassessment and the offender's performance on supervision.
6. Probation and Parole staff shall not be required to complete a reassessment on an offender who is incarcerated, pending violation return, or on absconder status.
7. The reassessment of offender risk shall be documented in the offender management system. Standard reassessments on cases currently assessed in the offender management system shall continue to require the assessment tool in the offender management system.

C. Abbreviated Assessment

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1. An abbreviated assessment shall be completed if:
 - a. An initial assessment has been completed, and
 - b. There has been no significant change in status or circumstance affecting the risk and needs assessment.
 2. A full reassessment shall be completed if:
 - a. An initial assessment has been completed, and
 - b. The abbreviated assessment indicates a need for a full reassessment.
 3. The officer shall document the abbreviated assessment in the offender management system.
- D. Assessments for an offender in a halfway house, contract facility, or residential treatment program:
1. An offender in a halfway house, contract facility or residential treatment program for less than ninety (90) days shall receive an initial assessment or reassessment upon release to a home placement.
 2. An offender in a halfway house, contract facility, or residential treatment program for ninety (90) days or more shall receive an initial assessment or reassessment thirty (30) days prior to release to a home placement.
- E. Inactive to Active Supervision
- If an offender is returned to active supervision from inactive status, a risk and needs assessment shall be completed within fourteen (14) working days of the date the offender is returned to supervision.
- F. The District Supervisor shall oversee the risk and needs assessment process in his specific district.
- G. Override of Assessment or Reassessment
1. Override of the initial assessment or reassessment shall require the approval and signature of the District Supervisor or designee.
 2. The District Supervisor or designee shall only approve an override if:

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- a. additional factors warrant a different level of supervision, including pending charges, severity of offense, or other significant factors,
- b. the offender is temporarily unavailable for supervision,
- c. there are special conditions set by the Parole Board or court, or
- d. the offender shows significant progress while under supervision.